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Attorney for Plaintiffs
 Shoreside Petroleum, Inc.,
 d/b/a Marathon Fuel Service
 and Metco, Inc.

IN THE UNITED STATES DISTRICT COURT
 FOR THE DISTRICT OF ALASKA

UNITED STATES OF AMERICA for the)
 use of NORTH STAR TERMINAL &)
 STEVEDORE COMPANY, d/b/a Northern)
 Stevedoring & Handling, and NORTH)
 STAR TERMINAL & STEVEDORE COMPANY,)
 d/b/a Northern Stevedoring & Hand-)
 ling, on its own behalf,)

Plaintiffs,)

and)

UNITED STATES OF AMERICA for the)
 use of SHORESIDE PETROLEUM, INC.,)
 d/b/a Marathon Fuel Service, and)
 SHORESIDE PETROLEUM, INC., d/b/a)
 Marathon Fuel Service, on its own)
 behalf,)

Intervening Plaintiffs,)

and)

METCO, INC.,)

Intervening Plaintiff,)

vs.)

NUGGET CONSTRUCTION, INC.; SPENCER)
 ROCK PRODUCTS, INC.; UNITED STATES)
 FIDELITY AND GUARANTY COMPANY; and)
 ROBERT A. LAPORE,)

Defendants.)

SHORESIDE'S AND METCO'S
NOTICE REGARDING
AVAILABILITY

3:98-cv-0009-TMB

COMES NOW Shoreside Petroleum, Inc., d/b/a Marathon Fuel Service ("Shoreside") and Metco, Inc. ("Metco"), by and through counsel, and file this Notice Regarding Availability.

The undersigned and his clients will make themselves available at any time in November and December, 2006 and January, 2007. The undersigned has a two-day trial in Palmer before Judge Smith which is first on the calendar for December 12 - 13. The trial probably could be moved, albeit with some inconvenience. The December holiday season is inconvenient for some of the witnesses. However, the instant case simply must be resolved.

This matter is to be tried to a jury, so the schedules of prospective jurors should be considered. Most jurors likely do not desire to be in trial during the Thanksgiving weekend and surely not during the December holiday season.

The undersigned and his clients are also available in February, 2007 which may be the most prudent time to try this matter because 1) the lead time should allow all counsel to adjust their schedules, 2) there are no major conflicting holidays, and 3) there are no spring breaks for Anchorage or Seward schools until March.

DATED this 22nd day of June, 2006 at Anchorage, Alaska.

THE LAW OFFICE OF STEVEN J. SHAMBUREK
Attorney for Plaintiffs
Shoreside Petroleum, Inc., d/b/a Marathon
Fuel Service and Metco, Inc.

s/ Steven J. Shamburek
By: _____
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CERTIFICATE OF SERVICE

The undersigned certifies that on the 22nd day of June, 2006, a copy of the foregoing was served by the Electric Case Filing system.

s/ Steven J. Shamburek

Steven J. Shamburek